



FREDERICK SILVER.
21905 MOUNTAIN HWY E
UNIT 4143 SPANAWAY, WA 98387-7583
E-Mail: ASCLV1@gmail.com
Tel: (702) 473-0365

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
AT BUFFALO DIVISION.**



FREDERICK SILVER.
Plaintiff,
vs.

CASE No.: 1:21-cv-00319-LJV

NOTICE.

CAPITAL MANAGEMENT SERVICES, LP,
Defendant

Judge: Hon. **Lawrence J. Vilardo**

To: Hon. Lawrence J. Vilardo / Honorable Jeremiah J. McCarthy:

**PLAINTIFF'S NOTICE REQUESTING RULING ON WRITTEN
SUBMISSIONS INSTEAD OF ORAL ARGUMENT.**

I, Frederick O. Silver, Plaintiff in the above-captioned case, respectfully submit this **Notice** in response to the Court's Text Order dated July 9, 2025 (Dkt. 175), which scheduled a telephonic status conference for July 23, 2025.

I hereby **Notify** the Court that I will not attend the scheduled telephonic conference. I respectfully request that the Court consider the pending motion and Defendant's letter (Dkt. 174) based on the written submissions already filed and in the record.

As a pro se litigant, I am respectfully invoking my right of access to the courts and request that this matter be decided based on the written submissions, consistent with my due process rights under the U.S. Constitution. Plaintiff further notes that in prior hearings, the Court has not ruled on Plaintiff's objections and has instructed Plaintiff to

1 remain silent while defense counsel is permitted to argue without submitting evidence
2 or sworn witness testimony. Plaintiff respectfully requests that the Court rely on the
3 written record to ensure fairness and preserve Plaintiff's **Appellate** rights.

4
5 This filing is not intended to waive any arguments or objections but to ensure that
6 the matter proceeds in a manner that preserves my ability to seek appellate review, if
7 necessary.

8
9 I respectfully request that the Court resolve the discovery issues raised by the
10 parties based on the existing written filings.

11 **CONCLUSION**

12 For the reasons above and in Plaintiff's Motion, the Court should:

- 13
14 1. **Compel CMS to produce a valid contract or assignment** evidencing its
15 authority to collect the Debt issued to it by Barclays Bank Delaware.
16 2. **Declare CMS's Answer untimely** and subject to sanctions.
17 3. **Grant any further relief the Court deems just and proper.**
18 4. **Requiring Capital Management Services L.P., to produce a copy of any**
19 **contract or assignment agreement with Barclays Bank Delaware.**
20 5. **Requiring that any Notarized document submitted be legible and**
21 **authenticated.**

22
23
24 Thank you for your attention to this matter.

25
26
27 Respectfully submitted,
28



FREDERICK SILVER.
21905 MOUNTAIN HWY E
UNIT 4143 SPANAWAY, WA 98387-7583
E-Mail: ASCLV1@gmail.com
Tel: (702) 473-0365

CERTIFICATE OF SERVICE.

I hereby certify that on the 9th day of July 2025, a copy of this PLAINTIFF'S NOTICE REQUESTING RULING ON WRITTEN SUBMISSIONS INSTEAD OF ORAL ARGUMENT was mailed to the Clerk after which it would be filed with the Courts CM/ECF filing system of the U.S. District Court for the Western District of New York, Niagara Square, Buffalo, NY 1420 for filing after which a notification of said document would be e-mailed to Glenn M. Fjermedal attorney for said defendant.

Dated: this 9th Day of July 2025.



FREDERICK SILVER.
21905 MOUNTAIN HWY E
UNIT 4143 SPANAWAY, WA 98387-7583
E-Mail: ASCLV1@gmail.com
Tel: (702) 473-0365

FREDERICK SILVER
1:21-CV-00319

Case 1:21-cv-00319-LJV-JJM Document 179 Filed 07/14/25 Page 4 of 4

TACOMA WA 983
OLYMPIA WA
9 JUL 2025 PM 2 L



To:

Lawrence J. Vilaro
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, New York 14202



14202-335099

